

# Families urge Inslee to change stance on death penalty

**Family members of those killed want justice carried out, not the governor's blanket moratorium**

By ANNALIESE DAVIS

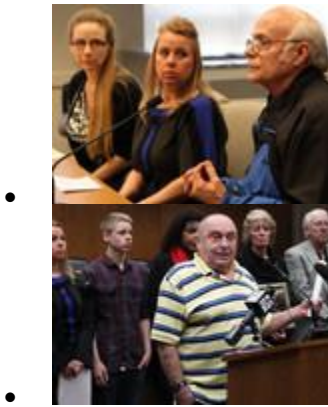
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Flanked by family members of murder victims in Washington state, Ed Oster of Spokane County voices his displeasure with Governor Jay Inslee's moratorium on the death penalty during a Wednesday news conference before a committee hearing about Sen. Steve O'Ban's clemency bill.

STEVE BLOOM — Staff photographer [Buy Photo](#)





Family members describe Jane Hungerford-Trapp as charismatic, smart and beautiful — someone who dealt with her fair share of inner demons, but liked to dance and have fun.

Hungerford-Trapp was murdered by Cecil Davis in 1996 in Tacoma. Davis went on to murder another woman before being sent to death row at the state penitentiary in Walla Walla, where he currently sits.

Hungerford-Trapp's daughter, Jessie Ripley, and family members of other murder victims came to Olympia on Wednesday to voice their opposition to Gov. Jay Inslee's stated intention to suspend executions in Washington while he is in office.

Victims' relatives appeared at a press conference to criticize the position. They later testified in favor of legislation aimed at preventing future Washington governors from issuing blanket moratoriums on the death penalty.

Proposed by Republican Sen. Steve O'Ban of Tacoma, Senate Bill 6566 would require the governor to view recommendations from the Clemency and Pardons Board on an individual basis before issuing a reprieve to anyone on death row.

Inslee said he spoke with a number of victims' family members before announcing his intention, but Ripley said she never received a phone call.

"Cecil Davis murdered my mom in a very brutal fashion," Ripley said. "He beat her so badly she was unrecognizable ... and he just left her body on the steps for a stranger to find. Davis is a monster who gave up the right to have rights.

"We deserve the right to closure. My mother deserves justice."

The legislation comes two weeks after Inslee announced a moratorium on capital punishment in Washington. Inslee said he isn't banning executions — a move that would require action from the Legislature — but instead plans to issue reprieves if a death warrant made its way to his desk.

The reprieve would not exonerate the convicted, but instead delay an execution. Future governors could lift the moratorium and allow executions.

The Clemency and Pardons Board reviews petitions for sentence reductions or pardons. In death row cases, hearings usually occur a day or two before an execution is scheduled. O'Ban's proposal would require the governor to consider recommendations from the board before deciding reprieves. O'Ban said the legislation would apply only to future governors if passed.

The chief object of the bill is to "clarify that the reprieve power of the governor ... can't be exercised unless he follows the process of the clemency board," O'Ban said. "Victims, prosecutors and defendants" need to be heard from on a case-by-case basis before a decision is reached, he said.

O'Ban alleges the governor's halt of executions is unconstitutional. He contends that while the state constitution gives Inslee the power to stay executions on an individual basis, a blanket moratorium is a de facto suspension of state law authorizing the death penalty.

"If you're going to exercise power, do so according to the constitution and what the Legislature has defined for you," O'Ban said. "We have to have a process for the victims to be heard before any stay."

The attorney general's office has said Inslee is acting within the constitution and state laws.

Former Sen. Debbie Regala, whose brother-in-law was killed in 1980, spoke against O'Ban's proposal, saying it undermines a needed debate on the death penalty. Regala, a Tacoma Democrat, said she has learned that many family members of murder victims strongly oppose capital punishment.

"Our state needs to have a robust, contemplative conversation about the use of death penalty ... in a dispassionate atmosphere," Regala said.

Nick Brown, legal counsel to Inslee, said after the hearing that O'Ban's legislation would minimally limit the powers of the governor and not address the real issue of whether Washington should have a death penalty.

"Reprieves are the most limited and restrained use" of the governor's power, Brown said. "A reprieve has no impact on sentence."

Wednesday's hearing on Senate Bill 6566 comes more than two weeks after a key legislative deadline. O'Ban said he wasn't sure the legislation would go any further this session, but the chairman of the Senate Law and Justice Committee said the bill might still have a chance.

SB 6566 "could move if the body wants it to," said Sen. Mike Padden, R-Spokane Valley.

Read more here: <http://www.thenewstribune.com/2014/02/26/3069106/families-urge-inslee-to-change.html#storylink=cpy>